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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/075,704	02/14/2002	Donald R. Brewer	AFOSS.0102	8393
22858	7590	04/28/2004	EXAMINER	
CARSTENS YEE & CAHOON, LLP P O BOX 802334 DALLAS, TX 75380			LINDINGER, MICHAEL L	
			ART UNIT	PAPER NUMBER
			2841	

DATE MAILED: 04/28/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

10/075,704

Applicant(s)

BREWER ET AL.

Examiner

Michael L. Lindinger

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-41 is/are pending in the application.
- 4a) Of the above claim(s) 19-41 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_.

## DETAILED ACTION

### *Drawings*

1. Figure 2 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

1. Claims 1-18 are rejected under 35 U.S.C. 102(a) as being unpatentable by the "onHand" (Applicant's IDS cite no. C-G) reference. Regarding Claims 1 and 7, the onHand reference teaches a method and system of updating a data memory in a personal digital assistant device and a wristwatch, comprising the steps of (and for system embodiments, the means + function is also taught) powering a watch, running a program resident on the watch, wherein said program identifies at least one data set to synchronize, selecting an external data set located on an external digital device to

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synchronize with at least one watch data set, establishing a communication link between the external digital device and the watch, and, updating the at least one data set (See entire document).

Regarding Claims 2-6 and 8-12, the onHand reference teaches the method and system wherein said step of running a resident program further comprises erasing at least one watch data set located on the memory of the watch, said resident program is transmitted to a memory of a watch or personal digital assistant said communication link is established via wireless signals, said updating is accomplished by erasing at least one data set on the watch memory and inputting at least one updated data set on the watch memory, said communication link is established via an IR port, an internet connection, an intranet connection or a satellite link (See entire document).

Regarding Claims 13 and 16, the onHand reference teaches a method and system for updating a data set in a personal digital assistant and a watch comprising a personal digital assistant with a processor and a memory containing at least one data set, a watch with a processor and a memory containing at least one data set corresponding with at least one data set located on the personal digital assistant memory, a two way communication link for linking the personal digital assistant and watch during memory update synchronization, comparing at least one corresponding data set located on the personal digital assistant memory and the watch memory, copying at least one corresponding data set located on the personal digital assistant memory and the watch

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memory, and updating at least one corresponding data set located on the personal digital assistant memory and the watch memory (See entire document).

Regarding Claims 14-15 and 17-18, the onHand reference teaches method and system wherein the personal digital assistant is at least one of a wristwatch, a wireless telephone, a wireless pager or a personal computer, wherein the two-way communication link is established via an IR port, an R.F port, a wire link, a wireless link, an Internet connection, an intranet connection or a satellite link (See entire document).

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***Prior Art***

1. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Fishman U.S. Patent No. 5,771,399 discloses an optical wand having an end shaped to register to the surface of a portable device to align respective optical element pairs for data transfer.
  - Deo U.S. Patent No. 6,157,982 discloses a system and method for remotely managing memory in a portable information device from an external computer.
  - Morohoshi U.S. Patent No. 6,219,303 B1 discloses an electronic device with clock function, time correction method and recording medium.
  - Goetz U.S. Patent No. 6,421,650 B1 discloses a medication monitoring system and apparatus comprising wireless multiple elements sharing information.
  - Narayanaswami U.S. Patent No. 6,525,997 B1 discloses an efficient use of display real estate in a wristwatch display.
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- Narayanaswami U.S. Patent No. 6,556,222 B1 discloses a bezel based input mechanism and user interface for a smart watch.
  - Creemer U.S. Patent No. 6,671,700 B1 discloses a method and apparatus for parallel execution of conduits during simultaneous synchronization of databases.

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**Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael L. Lindinger whose telephone number is (572) 272-2106. The examiner can normally be reached on Monday-Thursday (7:30-6).

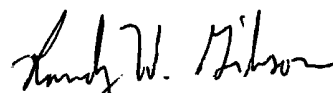
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Martin can be reached on (572) 272-2107. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Michael L. Lindinger  
Examiner  
Art Unit 2841

April 15, 2004  
MLL



RANDY W. GIBSON  
PRIMARY EXAMINER